

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

APR 30 2002

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

LULAC COUNCIL # 682, Paul Castillo,)
Ernest Hernandez, Diana G. Reyes and)
Robert Martinez,)
Plaintiffs)
v.) CIVIL ACTION NO.
CITY OF SEGUIN and Mark Stautzenberger,) SA-02-CA-369-OG
Mayor of Seguin, Councilmember Ruben)
"Rocky" Contreras, Councilmember Mary)
Louise Gonzales, Councilmember Bruno)
Martinez, Councilmember Javier Cuevas,)
Councilmember H.A. "Dan" Daniels,)
Councilmember Ronnie Humphrey,)
Councilmember Betty Ann Matthies, and)
Councilmember Roger Weyel, in their)
official capacities,)
Defendants)

PRELIMINARY INJUNCTION

On this day, Plaintiffs, LULAC COUNCIL # 682, PAUL CASTILLO, ERNEST HERNANDEZ, DIANA G. REYES and ROBERT MARTINEZ, by and through their attorney of record Nina Perales, and Defendants CITY OF SEGUIN and MARK STAUTZENBERGER, RUBEN "ROCKY" CONTRERAS, MARY LOUISE GONZALES, BRUNO MARTINEZ, JAVIER CUEVAS, H.A. "DAN" DANIELS, RONNIE HUMPHREY, BETTY ANN MATTHIES and ROGER WEYEL, in their official capacities as City council members, by and through their attorney of record, Greg Hudson, submitted an Unopposed Motion for Temporary Injunction (Dkt. # 8).

Having considered the motion, in which the parties agree that an election under the new apportionment plan cannot proceed until the plan is pre-cleared pursuant to Section 5 of the Voting Rights Act, the Court finds that preliminary injunctive relief is appropriate and the motion should be granted pending further order of the Court.

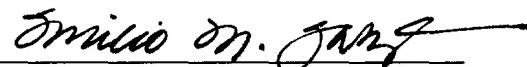
It is therefore ORDERED that Defendants are hereby enjoined and commanded to desist and refrain from:

- (A) holding the election scheduled for May 4, 2002 to elect City council members and to vote on proposed charter amendments, including all procedures in advance thereof; and
- (B) conducting an election of City council members until an apportionment plan is pre-cleared by the Department of Justice in accordance with Section 5 of the Voting Rights Act and a new candidate filing period is implemented, or until further order of the Court.

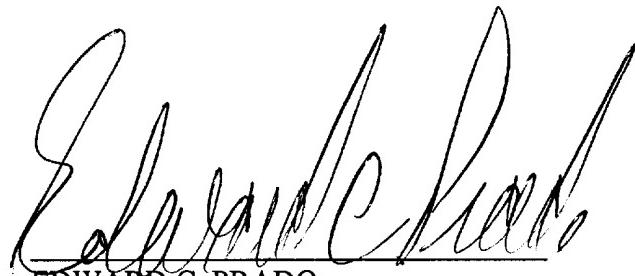
It is further ORDERED that:

- (C) the current City council members whose seats are up for election shall retain their hold-over authority until such time as a court-ordered or approved election is held; and
- (D) the election of City council members shall be held at a time that is hereafter ordered by the Court, but no sooner than the next municipal election in September 2002 or any other date agreed upon by the parties and approved by the Court that allows sufficient time to meet the statutory requirements for such election.

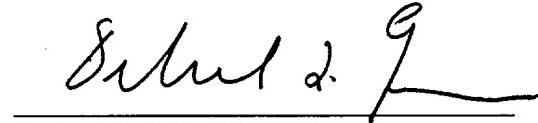
SIGNED and ENTERED this 30 day of April, 2002.



EMILIO M. GARZA
UNITED STATES CIRCUIT JUDGE



EDWARD C. PRADO
UNITED STATES DISTRICT JUDGE



ORLANDO L. GARCIA
UNITED STATES DISTRICT JUDGE